



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOSHUA WILSON, et al. v. LLOYD AUSTIN, in his official capacity as Secretary of the Department of Defense, et al.	Civil Action No. 4:22-cv-438 Judge Mazzant
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SCHEDULING ORDER

The court, after considering the joint attorney conference report and after reviewing the case file, enters this case specific order which controls disposition of this action pending further order of the court. The following actions shall be completed by the date indicated.¹

DEADLINES

21 July 2023	Deadline for motions to transfer.
25 Aug 2023	Deadline to add parties.
22 Sep 2023	Disclosure of expert testimony pursuant to Federal Rule of Civil Procedure 26(a)(2) and Local Rule CV-26(b) on issues for which the party bears the burden of proof.
06 Oct 2023	Deadline for Plaintiff to file amended pleadings. A motion for leave to amend is required.

¹ If a deadline falls on a Saturday, Sunday, or a legal holiday as defined in Federal Rule of Civil Procedure 6, the effective date is the first federal court business day following the deadline imposed.

20 Oct 2023	Deadline to disclose expert testimony pursuant to Federal Rule of Civil Procedure 26(a)(2) and Local Rule CV-26(b) on issues for which the party does not bear the burden of proof.
6 weeks after disclosure of an expert is made.	Deadline to object to any other party's expert witnesses. Objections shall be made by a motion to strike or limit expert testimony and shall be accompanied by a copy of the expert's report in order to provide the court with all the information necessary to make a ruling on any objection.
20 Oct 2023	Deadline for motions to dismiss, motions for summary judgment, or other dispositive motions.
29 Dec 2023	All discovery shall be commenced in time to be completed by this date.
6 weeks before final PTC	Notice of intent to offer certified records.
6 weeks before final PTC	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order, Joint Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in non-jury cases).
5 weeks before final PTC	Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections, and only those which cannot be resolved shall be presented to the Court. The party who served an initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the Court's rulings on objections.
30 days before final PTC	Motions in limine are due. File Joint Final Pretrial Order. The form is available on the Eastern District of Texas's website.

2 weeks before final PTC	Responses to motions in limine are due. ² File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend to deadline to object to expert witnesses). ³
	File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law)
Date to be set by the court. Usually w/in 10 days prior to PTC.	If numerous motions are pending, the court may set a hearing to consider all pending motions and objections.
Mar. 28, 2024	Final Pretrial Conference at 9:00 AM at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. All cases on the Court's Final Pretrial Conference docket for this day have been set at 9:00 a.m. However, prior to the Final Pretrial Conference date, the Court will set a specific time between 9:00 a.m. and 4:00 p.m. for each case, depending on which cases remain on the Court's docket.
to be determined	10:00 a.m. Jury selection and trial (or bench trial) at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. Cases that remain for trial following the Court's Pretrial docket will be tried between May 6, 2024, and May 31, 2024. A specific trial date in this time frame will be selected at the Final Pretrial Conference

SO ORDERED.

² This is not an invitation or requirement to file written responses. Most motions in limine can be decided without a written response. But, if there is particularly difficult or novel issue, the Court needs some time to review the matter. To save time and space respond only to items objected to. All others will be considered to be agreed. Opposing counsel shall confer in an attempt to resolve any dispute over the motions in limine within five calendar days of the filing of any response. The parties shall notify the court of all the issues which are resolved.

³ Within five calendar days after the filing of any objections, opposing counsel shall confer to determine whether objections can be resolved without a court ruling. The parties shall notify the court of all issues which are resolved. The court needs a copy of the exhibit or the pertinent deposition pages to rule on the objection.